

ZB# 02-51

Gregory Harden

8-5-18

Prelim.

Sept. 23, 2002

Pr. OK 9/23/02

Public Hearing:

Nov. 25, 2002

Granted

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Variances Granted 11/25/02

#02-51 - Harden, Gregory

8-5-18.

Area

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Haider

FILE# 02-51

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 9/23 \$ 13.50
2ND PRELIMINARY- PER PAGE \$
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE 11/25 \$ 13.50
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 9/23 \$ 35.00
2ND PRELIM. \$
3RD PRELIM. \$
PUBLIC HEARING. 11/25 \$ 35.00
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 203.00

*paid ck# 1927
10/17/02.
ck# 1929.*



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

January 28, 2003

Mr. & Mrs. Gregory Harden
107 Parkdale Drive
New Windsor, NY 12553

SUBJECT: ZBA #02-51 VARIANCE REQUEST

Dear Mr. & Mrs. Harden:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

GREGORY & LISAMARIE HARDEN

AREA VARIANCES

#02-51

WHEREAS, GREGORY & LISAMARIE HARDEN, owners of **107 Parkdale Drive**, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a 5 ft. side yard variance to construct a two-car attached garage in an R-4 zone; and

WHEREAS, a public hearing was held on the 25th day of November, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The garage construction will not cause the ponding or collection of water or affect the course of water drainage.
 - (c) No substantial vegetation or trees will have to be removed to construct the property.
 - (d) The property will not be built over any easements, including water and sewer.

- (e) The building, if permitted, will look similar to other homes in the area.
- (f) The property is so configured that the additional garage, if permitted, could not be built in any other location on the property in order to require no variance or a lesser variance.
- (g) If the construction of the garage were permitted, there will still be a space of approximately 10 ft. between that garage and the property line.
- (h) The garage, if permitted, would still provide sufficient space for fire protection.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5 ft. side yard variance to construct a two-car attached garage at the above residence, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 15, 2003

Lawrence W. Torley
Chairman

**TOWN OF NEW WINDSOR
ENGINEER, PLANNING BOARD
AND ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JANUARY 15, 2003
SUBJECT: REFUND BALANCE OF ESCROW

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ \$203.00 TO CLOSE
OUT ESCROW FOR:**

ZBA FILE # 02-51

NAME: LISAMARIE & GREGORY HARDEN

ADDRESS: 107 PARKDALE DRIVE

NEW WINDSOR, NY 12553

THANK YOU,

MYRA

L.R. 1/15/03


LISAMARIE HARDEN 07/99
GREGORY C. HARDEN
107 PARADALE DR.
NEW WINDSOR, NY 12553

28-7000/2213

1927

DATE 10-9-02

PAY TO THE ORDER OF Town of New Windsor \$ 300.00

Three hundred + xx/100 DOLLARS 
CHARTER ONE BANK

#02-51281
FOR DEPOSIT - ZBA steno *Lisamarie Harden*
⑆221370030⑆ ⑆4690461408⑆ 1927

LIBRARY OF CONGRESS 07/80
SERIALS ACQUISITION
1057 PINE AVE.
NEW WINDSOR, NY 10280

DATE 10-9-02

PAY TO THE ORDER OF Town of New Windsor \$ 50.00

RECEIVED XX/100 DOLLARS
CITY OF NEW YORK

#01-5128A
FOR DEPOSIT ONLY - DEPOSIT ONLY
22213 FORD ST. ALBANY, NY 12206

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#935-2002

10/18/2002

Harden, Lisamarie & Gregory [#]02-51

Received \$ 50.00 for Zoning Board Fees on 10/18/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PUBLIC HEARINGS:

HARDEN, GREG

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter? Again, is there anyone who wishes to speak on this hearing? No? Would you please so note in the record.

MS. CORSETTI: For the record, let it be noted that we sent out 64 public hearing notices to adjacent property owners on October 22, 2002 and we have no one in the audience.

Mr. Greg Harden appeared before the board for this proposal.

MR. TORLEY: Request for 5 ft. side yard variance to construct two-car attached garage at 107 Parkdale Drive in an R-4 zone. Tell us what you want.

MR. HARDEN: I'm requesting a variance five foot on the side yard setback to construct a two car garage approximately 24 feet wide, 30 feet deep.

MR. REIS: To accomplish that, do you have to take down any trees? Are you going to create any kind of drainage issues that we have to deal with?

MR. HARDEN: No trees will be taken down, no drainage.

MR. MC DONALD: Not built over any easements, water or sewer?

MR. HARDEN: No.

MR. KANE: The building will look similar to other homes in the area, not going to change the aesthetics of the area?

MR. HARDEN: Correct.

MR. TORLEY: I'm looking at one photograph that has some stakes and strings, those show the area?

MR. HARDEN: Yes.

MR. TORLEY: And the other string is the border?

MR. HARDEN: That's my property line, probably should of used yellow tape.

MR. TORLEY: So this is a structure that could not be feasibly located in other any other spot in the property to need less of a variance?

MR. HARDEN: No.

MR. KANE: You're also sure that it's the measurement that you need?

MR. HARDEN: Yes.

MR. TORLEY: We're going by your data, so you spoke with your neighbors, they have no objection, they're not here?

MR. HARDEN: Yes.

MR. TORLEY: Do other buildings in your neighborhood have not identical by similar kinds of garages?

MR. KANE: I already asked that.

MR. TORLEY: You did the water and drainage?

MR. REIS: Yes.

MR. TORLEY: Gentlemen, do you have any other questions on this?

MR. REIS: Accept a motion?

MR. KRIEGER: If the two car garage were allowed, how much space would be left between it and the property line?

MR. HARDEN: Ten feet, actually a little bit more.

MR. TORLEY: Given the present conditions of the

property, still leave adequate room for firemen to get around the sides?

MR. HARDEN: Yes.

MR. REIS: Accept a motion?

MR. TORLEY: If there are no other questions, yes.

MR. REIS: Make a motion that we pass Mr. Harden's request for his variance at 107 Park Hill Drive.

MR. KANE: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. MCDONALD	AYE
MR. TORLEY	AYE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 8/29/02

**APPLICANT: Gregory & Lisa Marie Harden
107 Parkdale Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/28/02

FOR : Attached 2 car garage

LOCATED AT: 107 Parkdale Drive

ZONE: R-4 Sec/Blk/ Lot: 8-5-18

DESCRIPTION OF EXISTING SITE: Single Family Dwelling

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Use Bulk Tables 48-12 R-4 zone – Required side yard set-back is 15ft. Proposed side yard will be 10ft. A variance of 5ft is required.

**ZONING BOARD
COPY**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: Attached 2 car garage

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:	15ft	10ft	5ft
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REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

Zoning Board
Low

FOR OFFICE USE ONLY:
Building Permit #: PA 2002-0966

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Gregory and Lisamarie Harden

Address 107 Parkdale Drive Phone # 845-565-7601

Mailing Address same Fax # 845-565-7695

Name of Architect Clark Patterson Associates

Address 900 Corporate Blvd Newburgh, NY Phone 845-567-6700

Name of Contractor TRD

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner / Engineer

If applicant is a corporation, signature of duly authorized officer. N/A

(Name and title of corporate officer)

1. On what street is property located? On the South side of Parkdale Drive
(N, S, E or W)
and 150 feet from the intersection of Parkdale Drive & Summit Drive
2. Zone or use district in which premises are situated Residential Is property a flood zone? Y N X X
3. Tax Map Description: Section 8 Block 5 Lot 18
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy Residence b. Intended use and occupancy Residence
5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front 24'-0" Rear 24'-0" Depth 30'-0" Height 14'-0" No. of stories 1
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor N/A
- Number of bedrooms N/A Baths N/A Toilets N/A Heating Plant: Gas X Oil _____
Electric/Hot Air X Hot Water _____ If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A

10. Estimated cost \$15,000.00

Fee

\$50.00

ck # 1868
dtg 8/28/02

PAID

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock

Asst. Inspectors: Frank Liel & Louis Kryshen

New Windsor Town Hall

555 Union Avenue

New Windsor, New York 12553

(845) 503-4018

(845) 503-4000 FAX

Bldg Insp Examined _____

Fire Insp Examined _____

Approved _____

Disapproved _____

Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

107 PARKDALE DRIVE, NEW WINDSOR

(Address of Applicant)

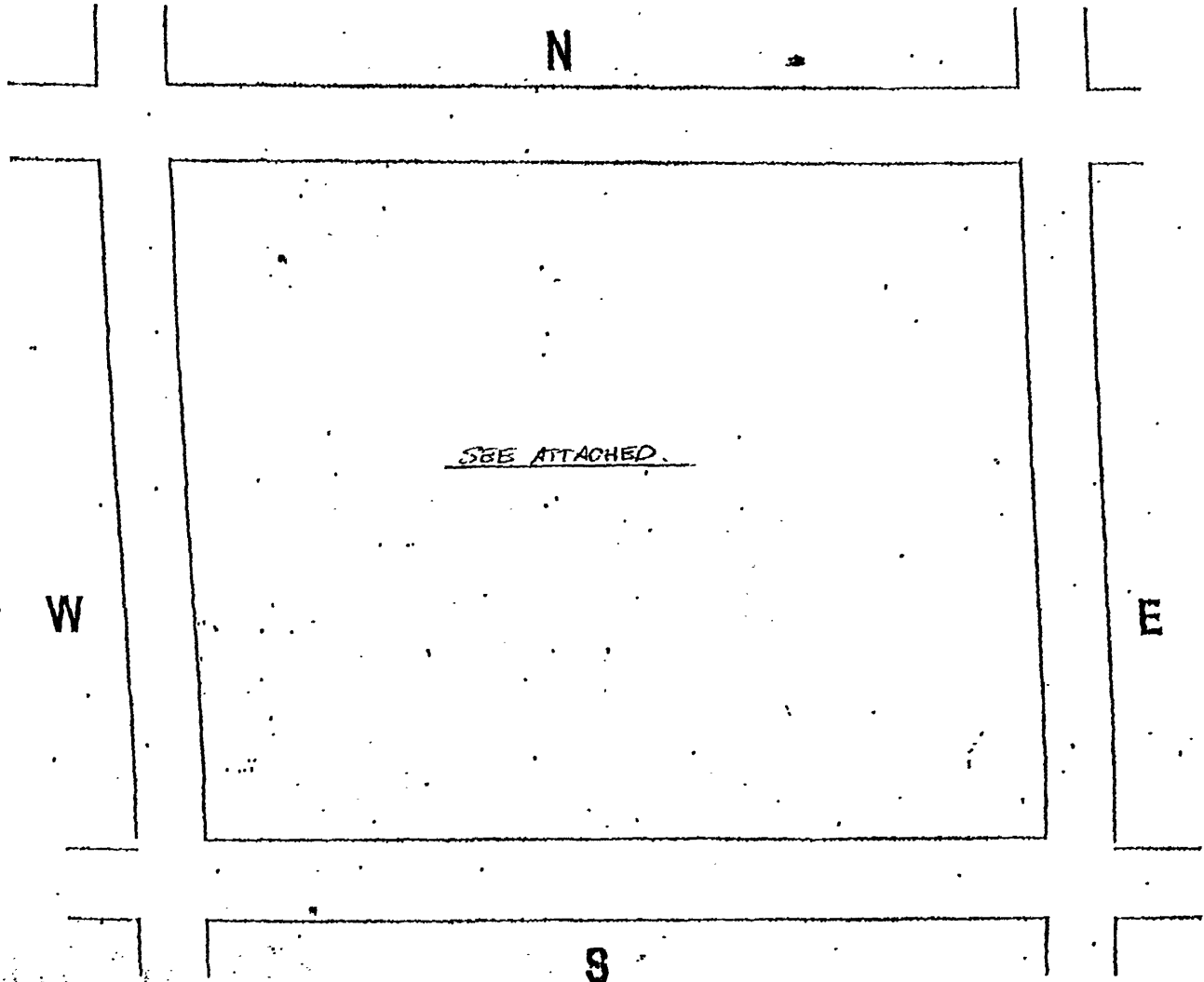
(Owner's Name)

107 PARKDALE DRIVE, NEW WINDSOR

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SUMMIT DRIVE

PARKDALE DRIVE
50' WIDE

N83 15'30" E
150.00'

CHD 56.36
N75 09' 28" E
R=200.00' L=56.55'

CHD 29.96
R=175.00'
L=30.00' OH

OH SERVICE WIRE
HEDGES

PAVED DRIVE

CONCRETE WALK

EXISTING DWELLING 2 STORY

DECK

LOT NO.4

LOT NO.2

BLOCK "C"
LOT NO.3

NOTE:
SITE PLAN PREPARED
FROM ORIGINAL SITE
PLAN BY WASHBURN
ASSOCIATES
JULY 19, 1988

LOT NO.5


LOT NO.12

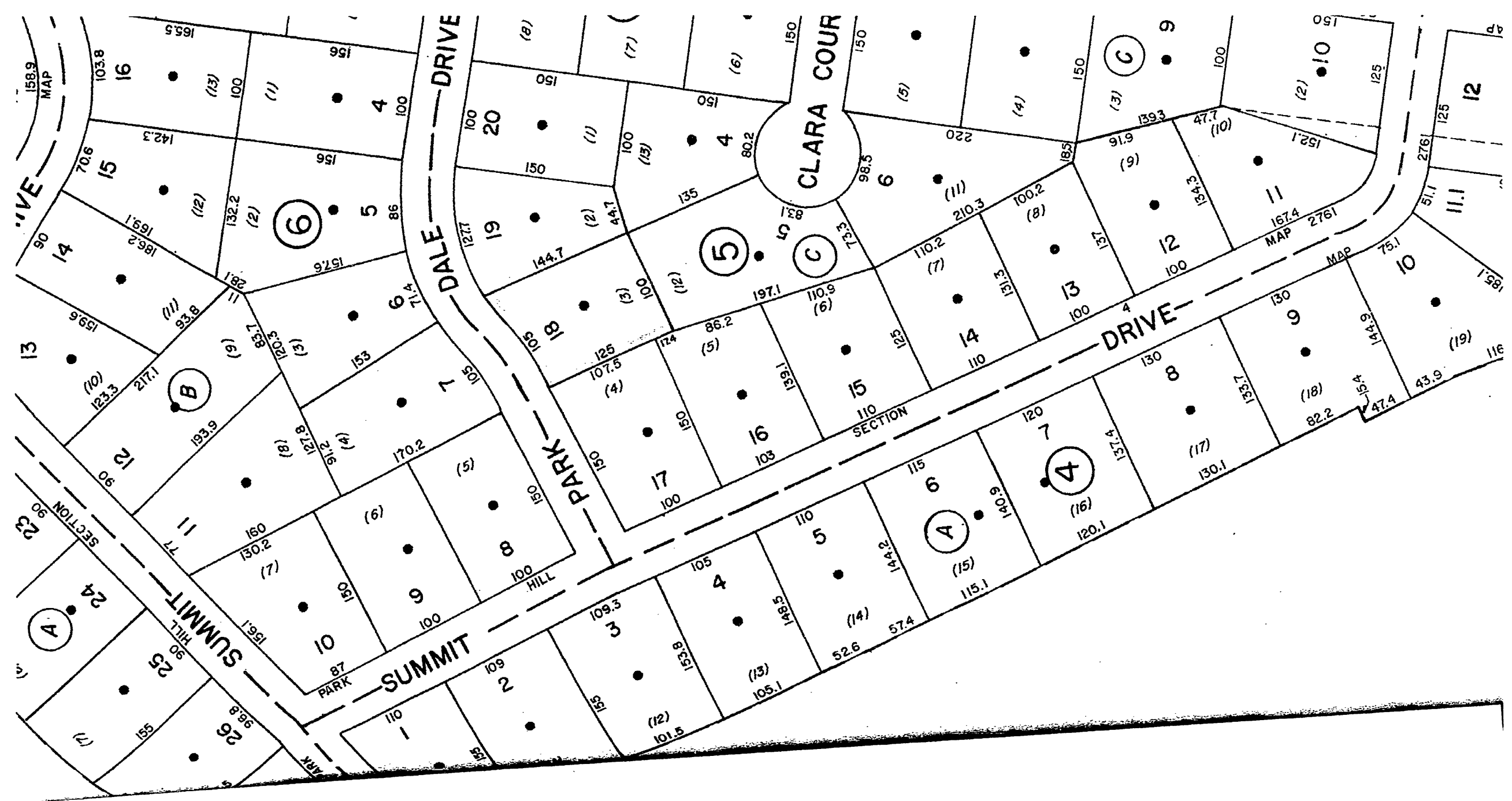
N3 57' 28" W
WOOD FENCE

S2 50' 00" E
CHAIN LINK FENCE

586 31' 47" W

100.00'

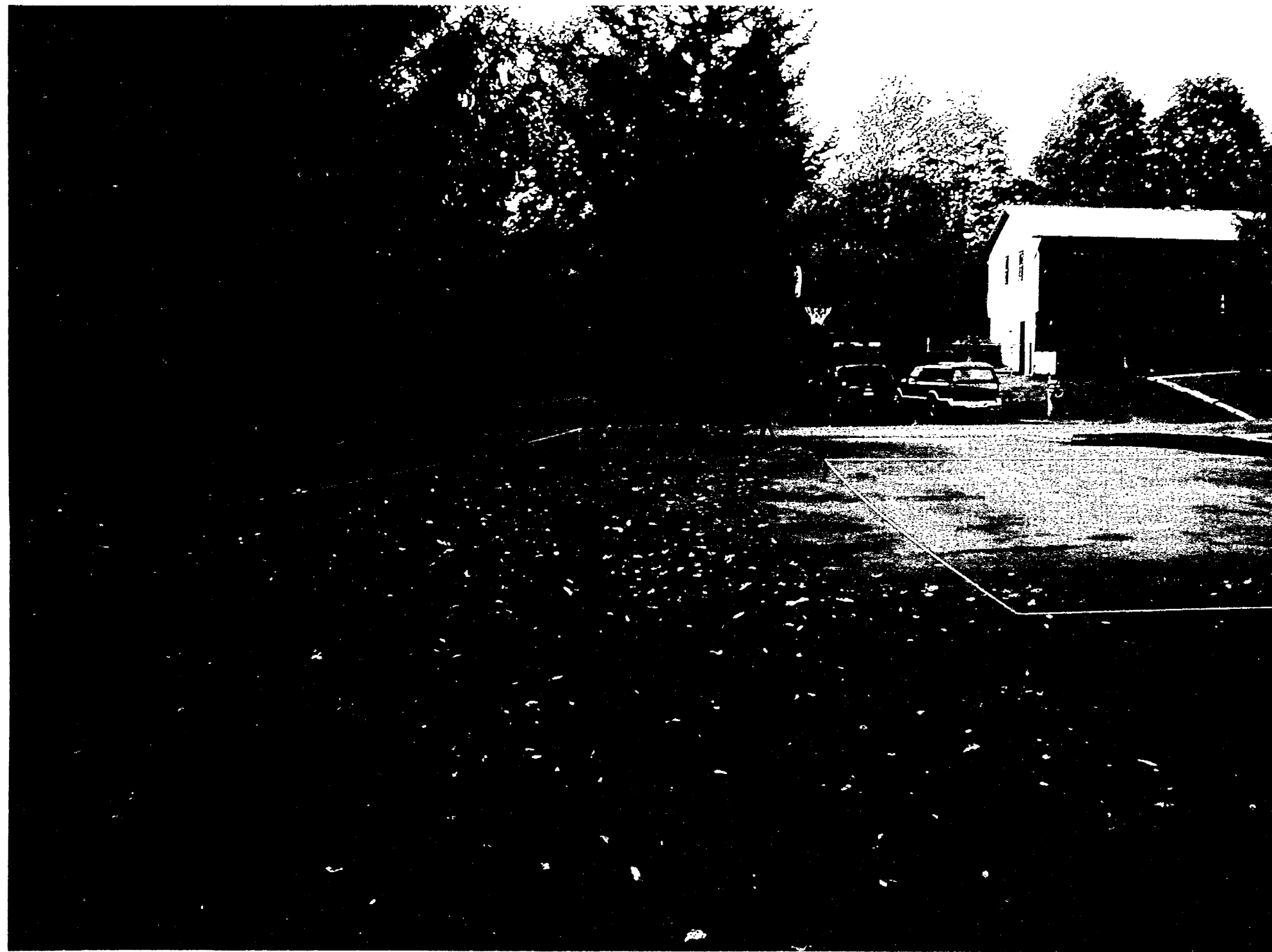
CLARK PATTERSON ASSOCIATES SITE PROFESSIONALS 1000 ROUTE 90 SUITE 100 WEST CONSHOHOCK, PENNSYLVANIA 19380	
	
PROPOSED ADDITION TO RESIDENCE OF GREGORY AND LISAMARIE HARDEN 1071 PARKDALE DRIVE TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK 12553	
SHEET 1 OF 1	SCALE 1" = 20' PREPARED SITE PLAN FOR LOT NO. 3 TAX MAP 421-A
8-1	













**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

03-51
Date: 10/17/02

I. Applicant Information:

- (a) Gregory C. Harden 107 Parkdale Dr. New Windsor (845) 565-7601
(Name, address and phone of Applicant) (Owner)
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) N/A
(Name, address and phone of attorney)
- (d) Clark Patterson Associates 900 Corporate Blvd Newburgh (845) 567-6700
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 107 Parkdale Drive 8-5-18 0.3
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? R-4
- (c) Is pending sale or lease subject to ZBA approval of this Application? No
- (d) When was property purchased by present owner? 1988
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No. If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? No

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law,
Section _____, Table of _____ Regs., Col. _____.

(Describe proposal) _____

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section 48, Table of BULK-12 Regs., Col. F.

	Permitted	Proposed or Available	Variance Request
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	15' - 0	15' - 0	5' - 0
Reqd. Rear Yd.			
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ratio**			
Parking Area			

* Residential Districts only

** Non-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:
Will not effect neighboring property, views, landscaping or
underground utilities. Garage to match house and similar to
other garages in area.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? _____.

VII. Interpretation.

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____.

- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones in maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Proposed garage will match existing dwelling (siding/roof/pitch).
Added value to property by concealing vehicles. No trees/
landscaping will be disturbed as a result of the construction.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00 each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

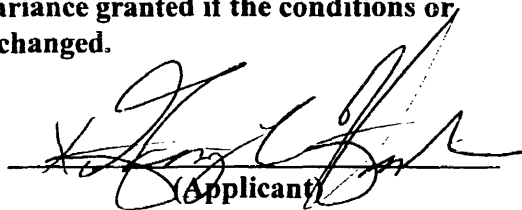
Date: Oct. 17, 2002

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.


(Applicant)

Sworn to before me this

17th day of October, 2002

XI. ZBA Action:

Patricia A. Corsetti

(a) Public Hearing date: _____

PATRICK CORSETTI
Notary Public, State of New York
No. 4434
Orange County
Commission Expires August 31, 2005

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 51

Request of Gregory & Lisa Marie Harden

for a VARIANCE of the Zoning Local Law to Permit:

construction of Attached Two-car garage w/ less than
the allowable side yard,

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. - C.D.F

for property situated as follows:

107 Parkdale Drive, New Windsor, N.Y. 12553

known and designated as tax map Section 8, Blk. 5 Lot 18

PUBLIC HEARING will take place on the 25th day of November,
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

October 3, 2002

Gregory Harden
107 Parkdale Drive
New Windsor, NY 12553

Re: 8-5-18

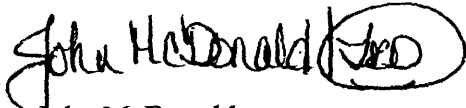
Dear Mr. Harden:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

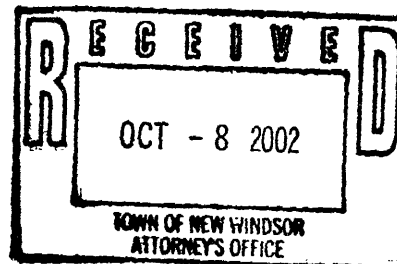
Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,


John McDonald
Acting Assessor

JM/lrd
Attachments

CC: Pat Corsetti, ZBA



4-2-7.1
City School District of Newburgh
98 Grand Street
Newburgh, NY 12550

8-1-18
Raymond & Linda Donovan
204 Summit Drive
New Windsor, NY 12553

8-1-19
Robert Delson
206 Summit Drive
New Windsor, NY 12553

8-1-20
Gerardo & Elba Lucia Figueroa
208 Summit Drive
New Windsor, NY 12553

8-1-21
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

8-1-22
John & Sandra Cranston
210 Summit Drive
New Windsor, NY 12553

8-1-23
Edward & Lorraine Finn
212 Summit Drive
New Windsor, NY 12553

8-1-24
Raphael & Maria Serrano
214 Summit Drive
New Windsor, NY 12553

8-1-25
Daniel & Diana Morales
216 Summit Drive
New Windsor, NY 12553

8-1-26
Lawrence & Evelyn Kawula
218 Summit Drive
New Windsor, NY 12553

8-1-27
Gino & Ella Cracolici
220 Summit Drive
New Windsor, NY 12553

8-3-6
Rita Guariglia
Richard J. Palkovic
32 Park Hill Drive
New Windsor, NY 12553

8-3-7
Vasant & Hemlata Prajapati
34 Park Hill Drive
New Windsor, NY 12553

8-3-8
Ann Petrak
36 Park Hill Drive
New Windsor, NY 12553

8-3-9
Douglas & Nicole Scott
38 Park Hill Drive
New Windsor, NY 12553

8-3-12
George & Wendy Marvella
35 Ona Lane
New Windsor, NY 12553

8-3-13
Robert Savage
33 Ona Lane
New Windsor, NY 12553

8-3-14
William & Cynthia Sunderlin
31 Ona Lane
New Windsor, NY 12553

8-3-15
Vincent & Caroline Tucci
29 Ona Lane
New Windsor, NY 12553

8-3-16
Francis & Leanne Repicky
27 Ona Lane
New Windsor, NY 12553

8-3-17
Gerald & Helaine Hecht
25 Ona Lane
New Windsor, NY 12553

8-3-18
Philip Masciola
23 Ona Lane
New Windsor, NY 12553

8-3-19
Arthur & Shirley Zodikoff
21 Ona Lane
New Windsor, NY 12553

8-4-1
Ralph & Marie Farhi
222 Summit Drive
New Windsor, NY 12553

8-4-2
Min Suk Kim
224 Summit Drive
New Windsor, NY 12553

8-4-3
Lawrence & Lorna Collins
226 Summit Drive
New Windsor, NY 12553

8-4-4
Raymond Miller
228 Summit Drive
New Windsor, NY 12553

8-4-5
Walter II & Yun Suk Huddy
230 Summit Drive
New Windsor, NY 12553

8-4-6
Alfred Kuntz
232 Summit Drive
New Windsor, NY 12553

8-4-7
Thomas & Anita Confrey
234 Summit Drive
New Windsor, NY 12553

8-4-8
David Sweeney
236 Summit Drive
New Windsor, NY 12553

8-5-12
Leonard & Arlene Revitz
231 Summit Drive
New Windsor, NY 12553

8-6-3
Luisa Acosta
Carlos Carrasco
12 Ona Lane
New Windsor, NY 12553

8-5-1
Edward & Norma Alexander
14 Ona Lane
New Windsor, NY 12553

8-5-13
Norman & Connie Dupree
229 Summit Drive
New Windsor, NY 12553

8-6-4
Paul Fernandez
104 Parkdale Drive
New Windsor, NY 12553

8-5-2
Michael Pisano
16 Ona Lane
New Windsor, NY 12553

8-5-14
Stephen & Linda Kelly
227 Summit Drive
New Windsor, NY 12553

8-6-5
Eric & Patricia Moller
106 Parkdale Drive
New Windsor, NY 12553

8-5-3
Dominick & Elizabeth Moglia
18 Ona Lane
New Windsor, NY 12553

8-5-15
John & Susan Clark
225 Summit Drive
New Windsor, NY 12553

8-6-6
Joseph & Catherine Crecco
108 Parkdale Drive
New Windsor, NY 12553

8-5-4
John & Nancy Pagano
4 Clara Court
New Windsor, NY 12553

8-5-16
Kevin & Donna Byrnes
223 Summit Drive
New Windsor, NY 12553

8-6-7
Robert & Marsha Corcoran
110 Parkdale Drive
New Windsor, NY 12553

8-5-5
Harvey & Jennifer Tibbs
5 Clara Court
New Windsor, NY 12553

8-5-17
Allen Zwickel
Penny Rochelle
221 Summit Drive
New Windsor, NY 12553

8-6-8
David & Rosalyn Sherman
219 Summit Drive
New Windsor, NY 12553

8-5-6
Freda Barber
3 Clara Court
New Windsor, NY 12553

8-5-19
Louis & Bernadette Drost
105 Parkdale Drive
New Windsor, NY 12553

8-6-9
Gregory Biasotti
217 Summit Drive
New Windsor, NY 12553

8-5-7
Fred Lorz Jr.
20 Ona Lane
New Windsor, NY 12553

8-5-20
Mary Jane Bonello
103 Parkdale Drive
New Windsor, NY 12553

8-6-10
Frank & Lucy Bonanno
215 Summit Drive
New Windsor, NY 12553

8-5-8
John Jr. & Phyllis Drennen
22 Ona Lane
New Windsor, NY 12553

8-6-1
Andrew III & Mary Jo Maroney
8 Ona Lane
New Windsor, NY 12553

8-6-11
Peter Papageorgantis
Anna Yanakis
213 Summit Drive
New Windsor, NY 12553

8-5-9
Ciro & Donna Damone
24 Ona Lane
New Windsor, NY 12553

8-6-2
George & Patricia Mc Evoy
10 Ona Lane
New Windsor, NY 12553

8-6-12
John & Helen Buckley
211 Summit Drive
New Windsor, NY 12553

8-6-13

W.T. & Lore Cooper
209 Summit Drive
New Windsor, NY 12553



8-6-14

Charles & Marsha Rein
207 Summit Drive
New Windsor, NY 12553



8-6-15

Andrew Niejadlik
205 Summit Drive
New Windsor, NY 12553



8-6-16

Dominick & Judy Passantino
203 Summit Drive
New Windsor, NY 12553



ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

Gregory C. Harden

02-51.

AFFIDAVIT OF
SERVICE
BY MAIL

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 22nd day of October, 2002, I compared the 64
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Sworn to before me this

22 day of October, 2002.

Claire M. Benson

Notary Public **CLAIRE M. BENSON**
Notary Public, State of New York
No. 01BE0247685
Qualified in Orange County
Commission Expires August 31, 2005

HARDEN, GREGORY

MR. TORLEY: Request for 5 ft. side yard variance to construct an attached two-car garage at 107 Parkdale Drive in an R-4 zone.

Mr. Gregory Harden appeared before the board for this proposal.

MR. TORLEY: So, what do you want to do?

MR. HARDEN: I want to build a 24 foot wide by 30 foot deep garage attached to my current raised ranch two car garage.

MR. TORLEY: This will bring to you five foot from the property line?

MR. HARDEN: Correct.

MR. TORLEY: By code you're supposed to be ten.

MR. BABCOCK: Actually, 15.

MR. HARDEN: Fifteen is the setback.

MR. TORLEY: Fifteen?

MR. BABCOCK: Yeah, actually, according to his survey, he's required to have 15, he's providing ten so he needs a variance for 5.

MR. HARDEN: Correct, thank you.

MR. TORLEY: We go by what your measurements, what you tell us, if you tell us you need a five foot variance and you build it out, the variance comes back, turns out you need a 6 foot variance, you may have to start all over again.

MR. HARDEN: I fudged it a little bit, we've got a couple feet.

MR. KANE: The 24 x 30, that's the minimum you need for a two car garage?

MR. HARDEN: Yes.

MR. BABCOCK: Well, the 30 feet really isn't his problem, it's the 24 and you realize he can't have a two car garage without having 24 feet, unless you tear the doors up on the cars.

MR. KANE: Tearing down any trees or creating any runoffs of water hazards in the building of this?

MR. HARDEN: No.

MR. MC DONALD: Over any existing sewer lines or water lines, septics?

MR. HARDEN: No. Gas line has to be relocated, that's not a problem.

MR. BABCOCK: Mr. Chairman, also, if you look at his house the way that it was built on the lot it's twisted quite a bit, it's what's really throwing him off. If the house was square to the lot on the other side he probably wouldn't be here tonight.

MR. KANE: Welcome to New Windsor.

MR. TORLEY: Clearly, it's an economic difficulty to straighten the house.

MR. BABCOCK: Yes.

MR. KANE: The two car garage is going to be similar in size to other garages in the neighborhood? It's not going to change the character of the neighborhood?

MR. HARDEN: No, not at all, it's going to match the house.

MR. MC DONALD: Aesthetically same as the house?

MR. HARDEN: Same siding, yes.

MR. TORLEY: Gentlemen, any other questions?

September 23, 2002

10

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion we set up Mr. Harden for his requested variance at 107 Parkdale drive.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MR. TORLEY: Please bring a couple pictures to the public hearing, particularly stake out where the garage is going to be.

MR. HARDEN: Regular size pictures?

MR. KANE: Yeah, that's fine.